

Coordination and Donorship: Session plan

Time: 90 minutes

Aim of Session

Participants will consider various options and potential best practices for the implementation of a conflict-sensitive logistics strategy at the donor and coordination level.

Objectives of Session

At the end of this session participants will be able to:

Identify the main external documents and codes of conduct that are relevant to air cargo issues

Identify mechanisms that donors and coordinators can use to assist agencies in compliance

Identify real-world examples that can be used for case studies

Identify potential information-sharing possibilities

Identify the personnel who need to be aware of the issue

List three actions they will take for moving this issue onwards (training/informing relevant staff, updating documentation etc.)

Key Messages

Donors have an obligation to ensure their money is used wisely

Agencies on their own are often in a weak bargaining position and often have little choice when engaging companies

Potential for cost-sharing and cost-savings through collective cargo provision

Companies have a number of ways of hiding their backgrounds which makes constant background research essential

Resources

Computer and projector. Slide presentation “Module04-CoordinationDonorship”

Flip chart and markers

3 Actions slips – 2 for each participant

Handouts

Handout – sample Ethical Transport Procurement Policy

Handout – Checklist for agencies

Handout - 'Review on the Provision of Air Transport in Support of Humanitarian Operations'

Training evaluation form

Preparation

Check which agencies/donors are represented by the participants and check which codes of conduct (Good Humanitarian Donorship etc.) they are signed up to

Time summary

Activity	Time (mins)
ACTIVITY 1: Introduction to the session	10'
ACTIVITY 2: Ethical initiatives, standards and codes	15'
ACTIVITY 3: Compliance	10'
ACTIVITY 4: Ethical procurement	15'
ACTIVITY 5: What can donors/coordinators do?	25'
ACTIVITY 6: EthicalCargo resources	10'
ACTIVITY 6: Wrap-up	5'
	90'

Activity details

ACTIVITY 1: Introduction to the session	10'
<p>Slides 1-4</p> <p>Refresher – why is ethical cargo an issue for donors and coordination bodies? Ask for suggestions and write up on flip-chart. Go through summary.</p>	
ACTIVITY 2: Multi-agency initiatives, standards, codes	15'
<p>Slide 5 – Activity</p> <ul style="list-style-type: none"> Follow activity instructions and draw out as many initiatives as possible from participants <p>Slides 6-12</p> <ul style="list-style-type: none"> Use to summarise feedback from participants. <p>NOTE: Some of these slides can be dropped from the presentation if it needs to be shortened -be selective</p>	
ACTIVITY 3: Compliance	10'
Show slide 13 “Compliance”	

<ul style="list-style-type: none"> • Go down and ask people to put their hands up if they are a signatory to each code in turn. Cross-ref that with pre-prepared list of which initiatives/codes organizations are signed up to • Deal with issues on slide in turn. <p>Slide 14– ALNAP – use to summarise challenges.</p>	
ACTIVITY 4: Ethical Procurement	15'
<p>Slides 15-16 – Ethical Procurement</p> <p>Summarise examples of agency/donor procurement guidelines</p> <p>Present and discuss EthicalCargo procurement policy sample</p> <p>Slide 17 – Highlight issue of following up on policies.</p>	
ACTIVITY 5: What can donors/coordinators do?	25'
<p>Slide 18 - Recommendations from the Air Transport Review</p> <p>This is a key slide. Take time to go through this in detail and use it as the building block for the activity.</p> <p>Slide 19 – Activity</p> <p>Follow the instructions and allow time for feedback.</p> <p>Slides 20-23 can be used if participant feedback is limited.</p>	
ACTIVITY 6: EthicalCargo Support	10'
<p>Slide 24 - Explain further EthicalCargo's resources and tools</p> <p>Slide 25 – Actions – ensure actions slips are filled in and collected.</p>	
ACTIVITY 7: Wrap up and questions	5'
<p>Slide 26 - Questions</p> <p>NOTE: When wrapping up the presentation don't forget to make sure all handouts have been handed out, evaluation forms have been completed, the participant contacts sheet has been filled in and you have given details on how you can be contacted.</p>	

Coordination and Donorship



EthicalCargo project CO-ORDINATION & DONORSHIP



Slide 1: WELCOME

NOTE: Confirm with the host (if there is one) if they will make a welcome speech first. If they do then say “Thank you XXX for your introduction.”

Good morning/afternoon. My name is XXX and I am part of the EthicalCargo team, working on XXX. My background is XXX and I've been with the EthicalCargo project since XXX.

This session is titled “Coordination and Donorship”. Its aim is to identify how donors and coordinating bodies can help implementing agencies to make conflict-sensitive transport procurement decisions.



Session objectives

At the end of this session participants will:

- Identify relevant parts of documents/codes of conduct
- Identify ways to help agencies comply
- Suggest examples for case studies
- Identify information-sharing potential
- Identify the personnel who need to be aware of the issue
- List actions to take issue forward



Slide 2: SESSION OBJECTIVES

At the end of this session participants will:

- Identify relevant sections of documents/codes of conduct that relate to the issue of ethical transport procurement
- Identify ways to help agencies comply
- Suggest examples for case studies
- Identify information-sharing potential
- Identify the personnel who need to be aware of the issue
- List actions to take issue forward



Refresher – why an issue?



UN Photo/Logan Abassi



Slide 3: REFRESHER – WHY AN ISSUE?

NOTE: Ask participants to say why the issue of air cargo operators transporting destabilizing commodities is an issue for donors and coordinating bodies.



Issues for donors & coordinators

Do No Harm:

- War economy – indirect financial support

Programming/organizational issues:

- Responsibility to tax payers/private donors
- Reputation
- Humanitarian space – demonstrating independence
- Project costs increased
- Safety of personnel traveling on unsafe aircraft
- Staff exposed to negotiations with destabilizing actors



Slide 4: Issues for Donors and Coordinators

Humanitarian organizations may end up using the same cargo operators that are involved in destabilizing commodity flows. This is due to two main reasons – limited availability of alternatives and lack of information regarding air cargo operator behaviour.

Donors and coordinating bodies play an important role in both supporting agencies and conducting their own evaluation and due diligence with regard to ethical procurement.

Do No Harm:

- War economy – financial support to actors that fuel, fund or facilitate conflict. Beneficiary protection issues – economic support to suspect companies facilitates their ability to trade in weapons/C-SC

Programming/organizational issues:

- Responsibility to tax payers/private donors - Donors have a responsibility to ensure their funds are used accountably and wisely
- Reputation - In-country reputation can be damaged if association made between trafficking and the implementing agency/donor “They're all the same” or “Agencies and their sponsors have their own hidden agenda”. Global reputation may be damaged by association with suspect companies – suggests at the least a lack of “due diligence”
- Humanitarian space – demonstrating independence - Reduced “humanitarian space” if humanitarian agencies are not seen as independent or are seen as being part of the problem
- Project costs increased – sometimes the “cheapest” option is not always the cheapest in the long run – co-ordinated humanitarian air transport may be cheaper than individual agencies being responsible for their own air cargo procurement
- Safety of personnel traveling on unsafe aircraft
- Staff exposed to negotiations with destabilizing actors



Initiatives/codes

ACTIVITY

- In groups, identify key multi-agency initiatives, codes of conduct etc. that are relevant to the ethical cargo issue
- One person should write down each initiative/code in large, clear letters on one of the large slips of paper
- Put a bit of blutak on the back of each bit of paper

You have 5 minutes



Slide 5 - Multi-agency initiatives/codes

ACTIVITY

We will now take five minutes to identify key multi-agency initiatives, codes of conduct and so on that are relevant to the ethical cargo issue. You will have 5 minutes for this exercise.

NOTES: Read through the instructions on the slide and then get one of the participants to read out the instructions to check everyone has understood. Ask one participant to be prepared to present the groups list.

Let's read through the instructions:

- In groups, identify key multi-agency initiatives, codes of conduct etc. that are relevant to the ethical cargo issue
- One person should write down each initiative/code in large, clear letters on one of the large slips of paper
- Put a bit of blutak on the back of each bit of paper
- You have 5 minutes.

NOTES: In feedback, go through all the initiatives as people bring them up to be blutaked onto pre-prepared flip-chart paper. Those that are covered in further slides, can be picked out as being covered later. Those initiatives that are not covered by the training should be explained by the participants and noted down for next training preparation. Duplicates can be ignored.



Relevant initiatives & codes

- The Sphere Project
- Do No Harm Initiative
- Transparency International
- People In Aid
- Conflict Sensitivity
- ALNAP
- Humanitarian Accountability Partnership International

Donor/Government-specific:

- Good Humanitarian Donorship
- International Coalition for the Responsibility to Protect
- International Humanitarian Law



Slide 6 - Relevant initiatives & codes

There are a number of initiatives to increase accountability and transparency in humanitarian operations and achieve high ethical standards in terms of neutrality and preserving the “humanitarian space”.

- The Sphere Project
- Do No Harm Initiative
- Transparency International
- People In Aid
- Conflict Sensitivity
- ALNAP
- Humanitarian Accountability Partnership International

Donor/Government-specific:

- Good Humanitarian Donorship
- International Coalition for the Responsibility to Protect
- International Humanitarian Law

We will now look at some of them in more detail.

Slide 7 – Good Humanitarian Donorship

GHD provides a forum for Donors to have a coordinated approach to certain aid issues. Often this focuses on the timeliness and coordination of funding itself. However, it is also an opportunity to deal with issues centered around Principle 2 of GHD:

Principle 2

“Humanitarian action should be guided by the humanitarian principles of humanity, ... impartiality, ... neutrality, ... and independence, meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold”

NOTE: Ask if any of the participants have participated in the GHD initiative and ask them to explain more about it.



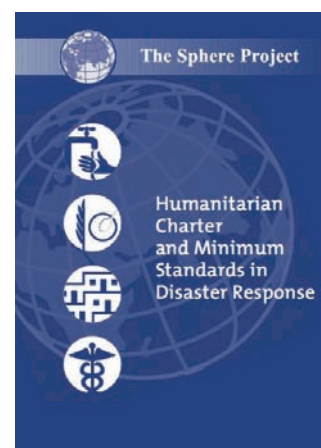
Sphere

Point 2.4, The Humanitarian Charter

“...assistance in situations of conflict may potentially render civilians more vulnerable to attack, or ... bring unintended advantage to one or more of the warring parties. We are committed to minimising any such adverse effects of our interventions” p.18

Common Standard 3, Guidance note 6 - Maximising positive impact and limiting harm

“Understanding the nature and source of conflict helps to ensure that aid is distributed in an impartial way and reduces or avoids negative impact.” p.35



Slide 8 - SPHERE

NOTES: Ask a participant to explain the aim of Sphere and to distinguish between the standards and the humanitarian charter.

Sphere background:

Launched in 1997 by a group of humanitarian NGOs and the Red Cross and Red Crescent movement, The Sphere Project is an initiative to define and uphold the standards by which the global community responds to the plight of people affected by disasters, principally through a set of guidelines that are set out in the Humanitarian Charter and Minimum Standards in Disaster Response (commonly referred to as the Sphere Handbook). Sphere is based on two core beliefs: first, that those affected by disaster or conflict have a right to life with dignity and therefore a right to protection and assistance, and second, that all possible steps should be taken to alleviate human suffering arising out of disaster and conflict. Sphere is three things; a handbook, a broad process of collaboration, and an expression of commitment to quality and accountability.

The Humanitarian Charter sets the principles which humanitarian organizations should follow in their delivery of aid.

In relation to conflict-sensitivity, point 2.4 is the most pertinent to issues of ethical procurement:

Point 2.4, The Humanitarian Charter

“...assistance in situations of conflict may potentially render civilians more vulnerable to attack, or ... bring unintended advantage to one or more of the warring parties. We are committed to minimising any such adverse effects of our interventions” p.18

Common Standard 3, Guidance note 6 - Maximising positive impact and limiting harm

“Understanding the nature and source of conflict helps to ensure that aid is distributed in an impartial way and reduces or avoids negative impact.” p.35

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IFRC/ICRC Code of Conduct



International Federation
of Red Cross and Red Crescent Societies



ICRC

1: The Humanitarian imperative comes first

- 8: Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs
- 9: We hold ourselves accountable to both those we seek to assist and those from whom we accept resources



Slide 9 - IFRC/ICRC Code of Conduct

The IFRC/ICRC Code of Conduct is adhered to by hundreds of NGOs.

The following points in the code of conduct, which stresses the importance of neutrality, are particularly relevant to the issue we are discussing:

1: The Humanitarian imperative comes first

NOTE: When there is a lack of alternatives, humanitarian organizations may have no choice but to use certain air cargo operators.

8: Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs –

NOTE: This can be interpreted as being part of a wider picture of creating a consumer-driven “ethical standard” to reduce the profits made by those operators who engage in destabilizing commodity transfer and encourage them to transform their behaviour.

9: We hold ourselves accountable to both those we seek to assist and those from whom we accept resources –

NOTE: Humanitarian organizations have a responsibility to do everything they can not to provide financial support to those who fund, fuel or facilitate conflict.

*NOTE: IFRC/ICRC Code of conduct is here:
<http://www.ifrc.org/publicat/conduct/code.asp>*



Do No Harm Handbook

“Assistance affects prices, wages, and profits and can either reinforce the war economy (enriching activities and people that war-related) or the peace economy...”
p.13



COLLABORATIVE LEARNING PROJECTS

The Do No Harm Handbook

(The Framework for Analyzing the Impact of Assistance on Conflict)



Slide 10 - Do No Harm Handbook

Conflict-sensitivity is a concept that is related to the Do No Harm initiative which started life in the early 1990s as “Local Capacities For Peace Project” and resulted in two important publications: “Do No Harm: How Aid Can Support Peace - Or War” in 1999 and the “Do No Harm Handbook” in 2004. The central message of which was that aid projects have their own impacts on conflict situations which are sometimes negative and often “hidden” to the implementation organizations themselves. Aid organizations should analyse the context of their operation and identify “Dividers” and “Tensions” as well as “Connectors” and “Local Capacities for Peace” and modify their programs to minimise support to the first and maximise support to the latter.

Do No Harm provides a framework to analyse the wider impacts of an organizations' activities. It is normally focused on field-based projects but can also be applied to the broader aspects of aid provision.

In terms of air transport provision, step 4 which involves analysing how aid is distributed and step 5 which looks at how the program impacts on “DIVIDERS and CONNECTORS” (i.e. is the project supporting actors that are destabilizing peace efforts) are particularly important.

The quote below used on the slide refers to the political impact of resource transfers:

“Assistance affects prices, wages, and profits and can either reinforce the war economy (enriching activities and people that war-related) or the peace economy...” p.13

*NOTES: Do No Harm Project background, taken from :
http://www.cdainc.com/cdawww/project_profile.php?pid=DNH&pname=Do%20No%20Harm):*

“The Do No Harm Project (DNH), begun in 1994, seeks to identify the ways in which international humanitarian and/or development assistance given in conflict settings may be provided so that, rather than exacerbating and worsening the conflict, it helps local people disengage from fighting and develop systems for settling the problems which prompt conflict within their societies.

The DNH concepts are widely used in the humanitarian and development communities and the project has developed one of the best known tools for Peace and Conflict Impact Analysis: the Do No Harm Framework for Analyzing the Impacts of Assistance on Conflict.”

Two good videos that describe the Do No Harm theory quite well, and can be provided to participants as links:

<http://donoharmproject.wordpress.com/2010/08/10/do-no-harm-framework-tutorial-part-i-the-relationship-framework/> - explains the Do No Harm “Relational Framework” – the theory of “dividers and connectors”.

<http://donoharmproject.wordpress.com/2010/08/12/dnh-framework-tutorial-part-ii-the-action-framework/> explains the Do No Harms “Action framework” – i.e. how to do implement Do No Harm in the field.

The following is from the Do No Harm Handbook, for further reference:

Step 4: Analyzing the Aid Programme

Step four of the DO NO HARM Framework involves a thorough review of all aspects of the aid programme. Where and why is aid offered, who are the staff (external and internal), how were they hired, who are the intended recipients of assistance, by what criteria are they included, what is provided, who decides, how is aid delivered, warehoused, distributed?

Step 5: Analyzing the Aid Programme's Impact on DIVIDERS and CONNECTORS

Step five is analysis of the interactions of each aspect of the aid programme with the existing DIVIDERS/TENSIONS and CONNECTORS/LCPs. We ask: Who gains and who loses (or who does not gain) from our aid? Do these groups overlap with the DIVISIONS we identified as potentially or actually destructive? Are we supporting military activities or civilian structures? Are we missing or ignoring opportunities to reinforce CONNECTORS? Are we inadvertently undermining or weakening LCPs?

p.13, Brief Notes on Resource Transfers and Implicit Ethical Messages

Resource Transfers

Assistance is a vehicle for providing resources to people who need them. Assistance's most direct impacts on conflict are a result of the introduction of resources (food, health care, training, shelter, improved water systems, etc.) into conflicts. Assistance resources represent both wealth and power



ConflictSensitivity.org

Conflict sensitivity means the ability of your organization to:

- understand the context in which you operate;
- understand the interaction between your intervention and the context; and
- act upon the understanding of this interaction, in order to avoid negative impacts and maximise positive impacts.



Slide 11 – ConflictSensitivity.org

There have been a number of publications related to conflict-sensitive development aid and mainstreaming peacebuilding into humanitarian/early recovery programming.

International Alert [www.international-alert.org] has produced a website that consolidates information on conflict-sensitive programming, and this is called, not surprisingly, conflictsensitivity.org. Part of the output of this DFID-funded initiative is the tool “Conflict-Sensitive Approaches to Development, Humanitarian Assistance and Peacebuilding: A Resource Pack”.

This pack provides information on the theory and practice of a conflict-sensitive approach to aid programming. They define conflict-sensitivity as the ability of your organization to:

- understand the context in which you operate;
- understand the interaction between your intervention and the context; and
- act upon the understanding of this interaction, in order to avoid negative impacts and maximise positive impacts.

ConflictSensitivity.org background from website:

The Conflict Sensitivity Consortium aims to understand what “conflict sensitivity” means in practice, in terms of organizational systems as well as during the design, implementation, monitoring and evaluation of specific interventions. The Consortium comprises a diverse range of agencies and aims to share its findings widely in the humanitarian, peacebuilding and development sectors to enhance the capacity to institutionalise and implement conflict sensitive approaches.



Transparency International

Mapping the Risk of Corruption in Humanitarian Action, 2006

“In storing and transporting relief resources, humanitarian actors need to be resilient in the face of pressure over the use of assets, for instance from local armed factions, and this may create an argument for safeguarding the principled independence of humanitarian agencies and being cautious about the use of private companies in sub-contracting arrangements.” p.40

Mapping the Risks of Corruption in Humanitarian Action
July 2006



Pete Ewins, Paul Harvey, Kevin Savage and Alex Jacobs
Overseas Development Institute and Management Accounting for NGOs (MANGO)
Report for Transparency International and the U4 Anti-Corruption Resource Centre



Slide 12 - Transparency International

Transparency International is a leading organization dealing with issues of corruption, primarily focused on state corruption.

TI has done some work on corruption in humanitarian action, though there has been no detailed study of the unintentional effects of aid programming in terms of supporting actors who are responsible for fueling, funding or facilitating conflict.

NOTE: This quote is useful to read out, from the TI publication “Mapping the Risk of Corruption in Humanitarian Action, 2006”:

“In storing and transporting relief resources, humanitarian actors need to be resilient in the face of pressure over the use of assets, for instance from local armed factions, and this may create an argument for safeguarding the principled independence of humanitarian agencies and being cautious about the use of private companies in sub-contracting arrangements.” p.40

NOTES: From Transparency International’s website.

Transparency International challenges the inevitability of corruption, and offers hope to its victims. Since its founding in 1993, TI has played a lead role in improving the lives of millions around the world by building momentum for the anti-corruption movement. TI raises awareness and diminishes apathy and tolerance of corruption, and devises and implements practical actions to address it.

Transparency International is a global network including more than 90 locally established national chapters and chapters-in-formation. These bodies fight corruption in the national arena in a number of ways. They bring together relevant players from government, civil society, business and the media to promote transparency in elections, in public administration, in procurement and in business. TI’s global network of chapters and contacts also use advocacy campaigns to lobby governments to implement anti-corruption reforms.



Compliance

- Why do we have these codes?
- Are they realistic?
- How do donors check if agencies are following such codes?
- Whose organization here today is involved in any of these initiatives?



Slide 13 - Compliance

Many agencies are signed up to these codes or initiatives. Whose organization here is signed up to any of the initiatives or codes of conduct we have already discussed?

NOTE: Use the spreadsheet of organizations and their involvement in codes to identify which codes the participants' organizations are signed up to beforehand.

NOTE: The questions can be opened up into a roundtable discussion. Optionally ask someone to write up the comments made on a flip-chart as you go along.

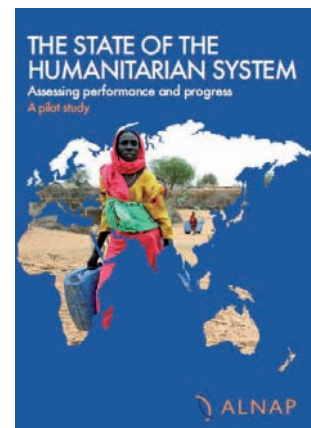
- Why do we have these codes? - **for self-regulation, for guidance in how to operate, for equality of provision, to protect organizations reputations with donors, to protect donors reputations with the tax payer, because they are principles staff believe in.**
- Why do we have these codes? - **for self-regulation, for guidance in how to operate, for equality of provision, to protect organizations reputations with donors, because they are principles staff believe in**
- Why are they important? **To maintain neutrality in order to carry out humanitarian work; maintain humanitarian space in order to carry out work; create standards to measure work by.**
- Are they realistic? **The implementation of such principles is not always easy, but that doesn't mean that they can be ignored. Sometimes compromises are made in order to get aid in and the importance of reaching people has to be balanced against principles around "gifts to armed actors" in terms of "bribery" for access or compromising a standpoint.**
- How do donors check up if agencies are following these principles? **Audits and analysis. Is a conflict sensitivity audit ever made? Ask participants to give examples as we are not aware of any.**
- What happens if we don't comply with them? **It is harder to call humanitarian aid "humanitarian" and it is harder to demand that other actors such as states meet their own obligations.**
- Whose organization here is signed up to these codes? **Note – this will be most of them.**



ALNAP

The State of The Humanitarian System, 2010

“Many NGO interview respondents recognised that there was a tendency to exaggerate ability to adhere to principles and that the operational focus of some agencies was leading them to neglect humanitarian principles....” p.44



Slide 14 - ALNAP

Compliance, particularly in emergency situations, is a challenge. Another initiative which is connected to ethics in humanitarian action in terms of accountability is ALNAP.

NOTE: Participants should be aware of ALNAP, so ask for a Participant to describe what ALNAP does and any initiatives they have been involved in before summarising.

The Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP) was established in 1997, following the multi-agency evaluation of the Rwanda genocide.

ALNAP's workplan is aimed at improving humanitarian performance through learning and accountability, and consists of core activities, project activities and linked activities.

ALNAP focuses on evaluation of the effectiveness of humanitarian aid.

The ALNAP publication *The State of The Humanitarian System, 2010* is a comprehensive overview of the humanitarian system as it stands today. One quote stood out in relation to compliance with code of conduct and humanitarian principles:

“Many NGO interview respondents recognised that there was a tendency to exaggerate ability to adhere to principles and that the operational focus of some agencies was leading them to neglect humanitarian principles...” p.44

In the area of ethical procurement, particularly in emergencies, it is not surprising that organizations with limited time and resources chose to hope that their suppliers are complying with ethical requirements rather than to carry out detailed due diligence, especially if there is no aviation logistics specialist within an organization – be it donor, coordinating body or implementing organization.

NOTE: More information from www.alnap.org:

A unique network, ALNAP incorporates many of the key humanitarian organizations and experts from across the humanitarian sector. Members are drawn from donors, NGOs, the Red Cross/Crescent, the UN, independents and academics. ALNAP uses the broad range of experience and expertise within its membership to produce tools and analysis relevant and accessible to the humanitarian sector as a whole.

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Ethical Procurement

- Green procurement
- Working conditions
- Disassociation from arms transport (both legal and illegal)

EUROPEAN COMMISSION



Humanitarian Aid



ECHO Procurement Guidelines



ECHO Procurement Guidelines

Page 18:

When awarding a procurement contract to a private company, consider the following:

- Company linked to illegal activities?
- Assess in light of humanitarian imperative
- Carry out due diligence, coordination between humanitarian actors.

When using a broker or freight forwarder, consider the following:

- Make clear expectation of due diligence (ethical criteria)
- Does not absolve contracting authority from conducting its own checks



ECHO Procurement Guidelines

Page 88-89:

Transportation shall be provided by companies:

- Which adhere to the highest possible safety standards.
- Which commit to human rights and observe international law.

Suppliers shall not use the services of a transport provider known to also transport illicit goods, and or conflict-sensitive supplies to governments which systematically violate the human rights of their citizens.



Slide 15 - Ethical Procurement

One of the key documents is the implementing organization's procurement policy and/or supplier conditions document.

The concept and application of “ethical procurement” has been developing rapidly in recent years. Ethical Procurement has focused primarily on “green procurement” - environmentally-friendly goods and transport of goods; working conditions – the procurement of goods from factories with good working practices and free from child labour; and disassociation from arms transportation (both legal and illegal).

For example, Oxfam has a “Ethical Purchasing Policy” (which has also been adopted by other agencies such as GOAL) which states that:

“The supplier or parent company should not be involved in any of the following activities:

- Arms manufacture
- The sale or export of arms or strategic services to governments which systematically violate the human rights of their citizens, or where there is internal armed conflict or major tensions, or where the sale of arms may jeopardise regional peace and security
- Tobacco production and sale
- The sale of baby milks outside the WHO Code of Conduct”

NOTE: Website lists more...

<http://www.oxfam.org.uk/resources/suppliers/ethicalpurchasing.html>

Oxfam also has internal guidelines on transportation of goods that stipulates that goods should not be transported with legal shipments of arms or by transporters of illicit arms.

The IAPG – Inter Agency Procurement Group – in the UK has a common procurement policy for a number of British and Irish NGOs:

<http://www.iapg.org.uk/index.php/2008/09/corporate-social-responsibility/>

“IAPG members will seek alternative sources where the conduct of suppliers demonstrably violates anyone’s basic human rights, and there is no willingness to address the situation within a reasonable timeframe. IAPG members will seek alternative sources where companies in the supply chain are involved in the manufacture of arms or the sale of arms to governments which systematically violate the human rights of their citizens.”

ECHO

Some donors, such as ECHO, have begun to emphasize the importance of ethical procurement. In October 2010, ECHO made the latest draft (September 2010) of the “Humanitarian Aid Guidelines for Procurement” available from their website:

http://ec.europa.eu/echo/files/about/actors/DRAFT_Procurement_Guidelines_Sept2010.pdf

The guidelines include a section, “2.2 The Principle of Ethical Procurement”, that deals with ethical procurement and, in particular, ethical transport procurement. ECHO follows the principle of Do No Harm:

"Do No Harm" implies that potential unintended harmful effects of the humanitarian response (e.g. prolonging the conflict) or effects that promote inequity amongst recipients of aid should be identified from the initial stages of the programme design and should be pro-actively avoided.

FOOTNOTE: Also referred to in Part 3.3 para 42 of The European Consensus on Humanitarian Aid, Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission (2008/C 25/01).
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:025:0001:0012:EN:PDF>

In the same way that EthicalCargo recognizes the challenges of operating in certain conflict contexts, ECHO also emphasizes the importance of carrying out due diligence even when the number of air transport actors is limited:

In a number of countries the availability of cargo operators is limited due to security considerations therefore rather than setting fixed rules it is more relevant here to emphasise the importance of due diligence and cooperation/coordination between humanitarian actors to minimise the risk of EU funds being used to financially support businesses involved in unethical practices or even in violations of international human rights or humanitarian law.

ECHO also provides some explicit guidelines for the procurement of air cargo services in an annex to the Humanitarian Aid Guidelines for Procurement. This provides organizations implementing programmes with ECHO money with clear

expectations in regard to what kind of due diligence is required. However, not all agencies have the time (particularly in emergencies) or, especially in the field, the expertise to be able to implement due diligence as expected.

EthicalCargo provides tools and services in the form of training, a library extract database, sample policy documents and a hotline to provide support to humanitarian organizations in the mainstreaming of due diligence checks.

The establishment of specialist “Humanitarian Procurement Centres” has also increased capacity and expertise in humanitarian procurement processes and provides more resources for negotiating with and monitoring suppliers. With their economies of scales and specialization, HPCs' application of ethical procurement guidelines will mean that due diligence is carried out on behalf of client NGOs, freeing smaller NGOs from having to have specialist aviation logistics staff.

NOTE: Handout the relevant pages from the ECHO document.

HANDOUT-07-ECHO-ProcurementGuidelines_Sept2010-EXTRACT-ONLY

Ask participants if their organization is already aware of these guidelines.



Example procurement policy



Version 1, September 2019

Sample

Ethical Air Transport Procurement Policy

This document is intended to be used as a guide only. Organisations should determine their precise details of their own conditions.

<ORGANISATION NAME> has an ethical procurement policy. In relation to the procurement of air transport services, preference will be given to service providers who:

- ☒ Adhere to the highest possible air safety & employment standards.
- ☒ Act in accordance with international human rights and humanitarian law.
- ☒ Conduct their business in a transparent and accountable manner.
- ☒ Have a robust ethical transportation policy in place.

Suggested ethical conditions include:

Air transport service providers should not be involved in:

- ☒ Transportation of arms or other destabilizing commodities (items that fund, fund or facilitate armed conflict e.g. blood diamonds) to governments, armed groups or geographical entities covered by UN, EC or OSCE sanctions.
- ☒ Transportation of legal arms shipment to governments or groups not covered by UN, EC or OSCE sanctions but who have poor human rights records <ORGANISATION TO DECIDE WHICH COUNTRIES THIS MAY INCLUDE>.
- ☒ Transportation of illicit or illegal goods such as narcotics.
- ☒ Unsafe or corrupt business practices.
- ☒ Chartersize flights.
- ☒ Rendition flights which may be contrary to international humanitarian law.

This means adherence to:

- ☒ Relevant ICAO, ILO, OECD and UN Global Compact rules, guidelines and best practices
- ☒ UN, EU and OSCE resolutions, decisions or agreements on the transportation of arms, ammunition or military equipment to the embargoed destinations listed in the relevant UN, EU and OSCE documentation.
- ☒ Preference will be given to air transport service providers who are not on the EU Safety list and whose aircraft are registered in countries that meet ICAO standards.
- ☒ If an air transport service provider (or any parent/wholly/affiliate/partner organisation) is named in a reputable report describing violation of the above guideline or resolutions then a full explanation will be sought before further consideration of a bid.
- ☒ The humanitarian imperative is paramount and <ORGANISATION NAME> will procure services from the sources which provide the most appropriate, cost-effective option when speed of response is a key requirement.

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Slide 16 - Example procurement policy

EthicalCargo provides a sample Ethical Air Transport Procurement Policy which can be adapted and then adopted by both humanitarian implementing agencies and their donors.

This procurement policy makes it much clearer for air cargo operators and brokers. For larger operators and brokers, they should have the kind of structure that allows them to verify that their activities meet such ethical demands. They themselves will need to ensure they get some advice on Corporate Social Responsibility and ethical business practices.

In the field, working with a limited number of small operators, this policy may seem like something that can't be enforced.

The section entitled “This means adherence to...” makes it clear what kind of guidelines and rules the company should follow.

Even then, however, it can be used to show that the organization does not want to use companies that are involved in destabilizing commodity flows and will favour any operator that can demonstrate effectively that that is not part of their work.

NOTE: Allow the participants to read the sample policy and take a short discussion over its contents. With specific questions, the response should always be that this is a sample only, that EthicalCargo itself does not set the ethical boundaries and it is up to organizations to decide the precise content of such as policy.



Rules and regulations

- When a supplier signs an agreement, does your organization ask HOW they can demonstrate fulfillment of ethical procurement requirements?
- Does your organization ever make any checks against these claims?
- Air cargo carriers may break all of these conditions.



Slide 17 - Rules and regulations

- When a supplier signs an agreement, does your organization ask HOW they can demonstrate fulfillment of ethical procurement requirements?
- Does your organization ever make any checks against these claims?
- Air cargo carriers may break all of these conditions: environmental (plane noise and pollution), working conditions (reduced breaks for pilots to provide cheaper services), ethical (shipment of legal arms to regimes that do not respect human rights)

NOTE: This can also be taken as a brief discussion. The important output of this is discussion of “due diligence” - organizations and their donors, even if they hand over much responsibility for air transport chartering to brokers, still have a responsibility to carry out due diligence themselves. EthicalCargo can support this.



Air Transport Review

Review on the Provision of Air Transport in Support of Humanitarian Operations, March 2010, Channel Research (Commissioned by DG ECHO)



Photo: Jon Fowler



Slide 18 - Recommendations from the Air Transport Review

In March 2010 a consultancy report, “Review on the Provision of Air Transport in Support of Humanitarian Operations”, was published by Channel Research, commissioned by DG ECHO with the aim of evaluating ECHO's actions in support of humanitarian air transport from 2003 – 2008.

The report is a good overview of the current state of humanitarian air services and includes a chapter entitled “Coordination: Needs, Options and Opportunities”. This identifies gaps in current coordination and advocates increased coordination and cooperation, led by donors, in areas of:

- Monitoring and standardisation of best practice in relation to safety and security;
- Donorship, transparency, finances and costs issues in relation to greater shared costs and expertise to increase cost effectiveness;
- Preparedness, surge capacity and International Disaster Response Law in respect to aviation – airspace agreements, access to airports etc.;
- Humanitarian principles, including agreed multi-agency principles in relation to cargo and trafficking;
- Capacity development, Linking Relief, Rehabilitation and Development and R&D in terms of improved state aviation standards and environmentally-friendly solutions;
- Logistics, including “principles, standards and good practice regarding cargo transport and management, be it by surface or air.”

NOTE: This quote from the report is worth reading to stimulate discussion in the next activity.

A recurring theme throughout this report has been the need for effective co-ordination. In what is a highly technical area, involving a mixture of commercial and non-commercial actors, operational coordination is frequently weak. Better coordination of air services and assets is essential to humanitarian response.

Most theatres of operation require a mixture of aircraft to move passengers and cargo to the operation, firstly between main hubs and thence in smaller numbers to programme sites. This suggests a co-ordinated response using a variety of aircraft best suited to a particular sector of the overall operation. For many reasons outlined in the body of this report, this does not happen. Each operator – UN, NGO, Red Cross/Red Crescent movement and donors - operates with limited, mainly ad hoc involvement with others.

Such co-ordinated efforts are espoused through initiatives developed over the past years including, inter alia, The Humanitarian Reform Process; Good Humanitarian Donorship; civil/military initiatives and humanitarian/commercial initiatives. Coordination is often mired in turf battles and the ‘mission-creep’ of entities jealous of their share of the humanitarian market-place. Its absence is often due to a lack of leadership.

NOTE: Some time can be taken over this slide and the discussion around it. The report may be emailed in advance and copies circulated at the end of the meeting.

The full report is available here:

[http://www.reliefweb.int/rw/RWFiles2010.nsf/FilesByRWDocUnidFilename/SNA-A-84G8S5-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFiles2010.nsf/FilesByRWDocUnidFilename/SNA-A-84G8S5-full_report.pdf/$File/full_report.pdf)

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How can donors/coordinators support agencies?

ACTIVITY

- What documentation, activities and initiatives could donors and coordinators strengthen to help support agencies to implement an ethical cargo policy?
- Create a table as follows:

Description of action || Who is involved? || What resources required be effective?

You have 10 minutes



Slide 19 – How can Donors/Coordinators make a difference?

ACTIVITY

NOTES: Read through the instructions on the slide and then get one of the participants to read out the instructions to check everyone has understood. Ask one participant to be prepared to present the groups list.

What documentation, activities and initiatives could donors and coordinators strengthen, sponsor or establish to help support agencies to implement an ethical cargo policy?

Of course, many donors themselves also charter air cargo planes.

Create a table as follows:

Description of action	Who is involved?	What resources required be effective?

You have 10 minutes

NOTE: Depending on the group, you could divide the group into coordinators/donor bodies or give groups different angles to look at – support to humanitarian air services; support to agencies through partnership agreements and ethical procurement issues; coordination issues for cost effectiveness etc.

NOTE: Allow good time for feedback. You may not need to use the next few slides if the feedback is deep enough to discuss in detail. Otherwise the following slides can be used to draw out some other ideas.

The idea should be to guide the group to developing some ideas that they will follow-up on after the training and get a “buzz” going around the group developing these ideas itself.

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PURPOSES



Potential areas of activity

- Conditions/guidelines for ethical procurement in partnership/framework agreements
- Develop systems for information gathering, analysis and sharing
- Improved coordination and shared expertise to reduce costs
- Partner with key states to build the capacity of their civil aviation authorities to maintain safety standards and improve aircraft tracking and recording
- Support training and awareness-raising initiatives

Slide 20 – Potential areas of activity

NOTE: This slide can be ignored if feedback from the Activity is sufficient.

- Conditions/guidelines for ethical procurement in partnership/framework agreements
- Develop systems for information gathering, analysis and sharing
- Improved coordination and shared expertise to reduce costs
- Partner with key states to build the capacity of their civil aviation authorities to maintain safety standards and improve aircraft tracking and recording
- Support training and awareness-raising initiatives



Conditions for supply chains

- Agencies to include ethical transportation clauses in their tendering and contract documentation
- Agencies to show due diligence in procurement decision-making
- Provide agencies with support in procurement process



Slide 21 – Conditions for Supply Chains

NOTE: This slide can be ignored if feedback from the Activity is sufficient.

- Agencies to include ethical transportation clauses in their tendering and contract documentation
- Agencies to show due diligence in procurement decision-making
- Provide agencies with support in procurement process



Information gathering, analysis and sharing

- Development of open-source "watchlists"
- Possibility of sharing recommendations
- Coordinated and discreet channel for agencies reporting suspicious behaviour by companies
- Share results of company audits
- Link in to peace-keeping intelligence gathering?



UN Photo/Martine Perret

Slide 22 – Information gathering, sharing and analysis

NOTE: This slide can be ignored if feedback from the Activity is sufficient.

Here are some potential areas for initiatives to be led by foreign ministries / key state policy makers:

- Development of open-source "watchlists" - in association with key multi-state intelligence agencies
- Possibility of sharing recommendations – a "white" list
- Coordinated and discreet channel for agencies reporting suspicious behaviour by companies – this is a highly sensitive area, but is essentially part of security reporting in donor reports
- Shared safety/ethical audits of companies
- Link in to peace-keeping intelligence gathering?

NOTE: This slide very much depends on the participants backgrounds and is aimed at MFA representatives, multi-national donor bodies etc.



Shared cargo services

- Tend to be larger operations operating to ICAO standards
- Services are easier to monitor
- Reduced administrative/ logistics burden – NGOs with limited air logistics knowledge can concentrate on other areas
- Financial saving through economies of scale means shared Humanitarian Air Services could become competitive when compared to commercial firms
- Difficult to put a monetary cost on the Do No Harm implications of using compromised commercial companies



Bunia - ECHO Flight 2003 © EC/ECHO/François Goemans



Slide 23 - Shared cargo services

- Shared cargo services (e.g. UNHAS) tend to be larger operations operating to ICAO standards
- Services are easier to monitor
- Reduced administrative/ logistics burden – NGOs with limited air logistics knowledge can concentrate on other areas
- Financial saving through economies of scale means shared Humanitarian Air Services could become competitive when compared to commercial firms
- Difficult to put a monetary cost on the Do No Harm implications of using compromised commercial companies

Can these be supported in different or more effective ways?



EthicalCargo support

EthicalCargo provides

- Training for different audiences – donors, field staff, policy staff
- Hotline – 24 hour support for urgent enquiries
- Advice on negotiation techniques
- A searchable extract library database
- ...and more...



Slide 24 - EthicalCargo support

EthicalCargo helps organizations to develop their situational awareness in regard to the use of air transport.

EthicalCargo can contribute to the development of coordinated approaches to ethical procurement of air cargo transport through training and expert advice.

EthicalCargo helps organizations to implement conflict-sensitive ethical procurement through:

- Providing some useful negotiation techniques to employ
- Providing sample ethical transportation clauses in contracts, tenders etc.
- Providing training to sensitize key humanitarian personnel and to increase knowledge to make better informed procurement decisions
- Providing a 24-hour hotline that can provide detailed information on a specific query at a deeper level than searching the online database



What can be done?

ACTIVITY

- In pairs make an action plan containing at least three activities you will individually undertake to move this issue forward

You have (5-10) minutes



Slide 25 - What can be done?

ACTIVITY

In pairs make an action plan containing at least three activities you will individually undertake to take this issue forward. Write these things down for your own notes and on the “actions card” so we can follow-up to check.

You have (5-10) minutes

NOTES: Read through the instructions on the slide and then get one of the participants to read out the instructions to check everyone has understood. Depending on time, get either all participants, or just some, to feedback their ideas on what they will do. Collect the answers afterwards.

Tips are: Revise donor procurement guidelines, inform key partners, initiate discussion forums for coordinated response, inform staff, contact EthicalCargo for further help, Training of Trainers etc.

This is a checklist for humanitarian organizations. You may find this useful for any team discussions you have in order to take the issue further.

NOTE: Handout “Checklist for humanitarian organizations”



Questions?

Contact:

NAME OF PRESENTER: xxx@sipri.org



Slide 26 - Questions?

NOTE: With any specific questions that cannot be answered, refer to the appropriate EthicalCargo contact.

Please take a minute to complete the anonymous training evaluation forms. We appreciate your honest responses in order to make sure the training is the best it can be.

Thank-you.

Contact: XXX XXX@SIPRI.org